

E X H I B I T D

INFORMAL COMPLAINT/GRIEVANCE/APPEAL

Ref# RIC10522004128	Housing: H5A0027	Date Created: 05/20/2022
ID#: A423451	Name: WILLIAMSON, MICHAEL	
Form: Appeal	Subject: Health Care	Description: Medical restriction or medical device
Urgent: No	Time left: n/a	Status: Closed

Original Form

5/20/2022 5:20:09 PM : (a423451) wrote

The date "5/22" was a mistype
It should have said "4/22"

Exhibit D

On 5/22 I as passed for chronic care visit to be seen by Ms. wheller. After that visit she asked me why did I have the rollator. I explained it to her and she took one look at my leg and said "YOU ARE HEALED" you dont need the rollator. I begged her 13 times not to take it because I have been dependent on the use of it for more than 8 years. She looked me straight in the eyes and said you dont need it and took it from me. I had no choice but yo comply because if I would have argued with her I would have went to the hole. I went back to my dorm and sent a kite asking for the exact reason why my mobility taken from me. The next day I received a passs for an x-ray on monday. The x-ray was taken of my lower back and hip. Then the kite I sent was answered and it said "YOU WERE SEEN ON %/12 BY WHELLER EDUCATION PROVIDED REGARDING ROLLATOR IS WORST FOR LOWER AND STABILITY OF HIP"> In the 8 years of depending in this rolator I have never complained of lower back pain or hip problems. I did not request that x-ray. Ms. wheller took my mobility device away so as to cause me more pain knowing that it would put me in much pain by making me walk without it. I was forced to take multiple pain medication causing me to be sick to my stumic. I ended up getting a second opinion from Ms. O who did a small physical examination of my leg and said to me that she will give it back to me with the exception that I loose weight within 30 days. My weight was never an issue when my rollator was issued to me, and it should not be an issue now. Ms. O gave me the proper x-ray of my leg showing the metal plate and 12 screws in my leg. Ms. Wheller knew she would becausing me to be in pain when she took my mobility device away from me. I want it to be made to where noone can ever take my mobility device away from me again. I can not make it without it. I have been through enough already. I will always have problems with my leg. Something need to be done because for her to purposely and knowingly take away my mobility device with the intent of causing me to be in pain she should not be permitted to work as a health care provider. She caused me 6 days of being in pain.

Communications / Case Actions

5/20/2022 5:20:09 PM : (a423451) wrote

Form has been submitted

5/27/2022 11:55:00 AM : (Shawn Shelton) wrote

Per our conversation your X-rays that were read by a radiologist states your internal fixation is in place and stable. You have a follow up appointment scheduled for re evaluation for the need of a rollator and progress of weight loss. At your follow up you will have opportunity to discuss any concerns regarding mobility and pain. 68 Med 01

5/27/2022 11:55:05 AM : (Shawn Shelton) wrote

Closed incarcerated individual form

5/27/2022 1:20:32 PM : (a423451) wrote

Escalated to Grievance

5/27/2022 1:20:32 PM : (a423451) wrote

the follow up is futile.

the nurse practitioner i was supposed to have a follow up with is no longer working here. therefore, my "second opinion" will be rendered by the same nurse practitioner (wheeler) that was deliberately indifferent to the constant pain in my leg. one can only expect the same results with the same medical provider.

regardless, nothing under oac 4723-4-01 permits a nurse practitioner to rescind a doctor's prescribed medical device. my rollator was prescribed by a doctor of orthopedics and it may only be rescinded by a doctor of orthopedics. moreover, the prescription had no expiration. so regardless of the fixation of my plate, pins, and screws being "in place and stable", i still suffer pain and require the ability to sit when i am forced to stand for long periods of time - chow hall, package room, legal mail, quartermaster, commissary, etc.

and finally, my weight has nothing to do with me having the rollator. it was prescribed when i was 220 lbs, which was not tremendously overweight.

this deliberate indifference and lack of medical care meant to cause me pain is cruel and unusual and must be stoped and prevented from further incursion.

6/9/2022 8:18:01 AM : (kelly Rose) wrote

Michael Williamson 423-451 (RIC10522004128) Unit 5 A 27 has indicated that on May 22, 2022, removed a Rollator from Mr. Williamson when he had been using it for many years. Mr. Williamson is requesting the return of the mobility device. The Medical Supervisor responded to an informal Complaint and provided a substantial response indicating –

Per our conversation your X-rays that were read by a radiologist states your internal fixation is in place and stable. You have a follow up appointment scheduled for re evaluation for the need of a rollator and progress of weight loss. At your follow up you will have opportunity to discuss any concerns regarding mobility and pain. 68 Med 01

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To investigate this concern, we reviewed past grievances on the same issue. We examined State of Ohio Policy 68-MED-01,68-MED-14. We reviewed past cases on the same issue that have been grieved and appealed. Finally, we questioned the Medical Department for further information on this issue. We reviewed the Electronic account of Mr. Williamson and reviewed camera footage.

The Medical Department indicated that in 30 days a re-evaluation will be completed to make a determination as the item is more of a hinderance other than a help.

The item was returned to Mr. Williamson for 30 more days.

Possible related policy's in this case are –

State of Ohio Policy 68-MED-01 (medical Services) discusses responsibility of the Chief Medical Officer at each facility and dictates in part –

3. Responsibilities of the Chief Medical Officer (CMO)

a. The CMO shall have sole responsibility for all matters involving purely clinical judgment. The CMO shall provide clinical leadership for the provision of medical services in conjunction with the HCA.

State of Ohio Medical Policy 68-MED-14 (B) states –The Institution Chief Medical Officer shall determine the level of medical care needed by each inmate. If the Chief Medical Officer determines that specialty medical services are needed which are beyond the scope provided by the parent institution, he/she shall make the appropriate referral.

Mr. Williamson is being followed and treated with the Medical Department. This is a medical decision and the Inspector is unable to require or over-rule a Medical Decision. There is no indication to a lacking-of treatment and there are no indications to any policy/ protocol violation therefore this issue is denied.

As Inspectors we cannot order the Medical Department to perform any specific function. The inspector is required to ensure the patient is being treated. The Inspector cannot determine the treatment to be provided but to ensure treatment is provided. Policy/ Procedure dictates practices and rules for this concern. You have a course of treatment designed by the Medical Department and you are being followed. Should you have further questions you should address them with your Medical Staff and or request to see this Inspector through your Correctional Staff.

Inspectors are not medical professionals and are unable to determine and or dictate any treatments.

Your situation will also be discussed in a Monthly Medical Meeting with the Medical Doctor and supervisory staff.

If there is concern you will have to sign up for sick call for further recommendations and treatment.

As always should you have further question feel free to contact this Inspector for follow up and we will be glad to meet with you and assist.

6/9/2022 3:18:06 AM : (kelly Rose) wrote

Closed incarcerated individual form - Disposition: Denied

6/10/2022 9:19:39 AM : (a423451) wrote

Escalated to Appeal

6/10/2022 9:19:39 AM : (a423451) wrote

It is obvious that inspector Rose is unable to help me with this informal complaint/grievance.

I was issued the use of my mobility device by a doctor while i was at marion correctional 8 years ago. I have been dependent on this rolator for more than 8 years. I was called to medical one morning for a cronic care visit. After that visit Ms. wheller asked me why did I have the rolator and i explained to her and showed her my leg. She took one look at it and said "YOU ARE HEALED YOU DONT NEED IT" and took it away from me. I was in pain for 6 days I couldnt go to chow my blood presure was raised to-202/189. After I got back to my dorm that day i kited medical and asked them why exactly was the rolator was taken from me and the next day i received a pass for an x-ray of my hip and lower back. I have never complained of lower back problems or hip problems in the 8 years of depending on my mobility device. I was then given a second opinion my a Ms. O who did a small physical exam of my leg and saw that I was in need of the use of the rolator and gave it back to mewith the exception of me loosing weight and she did an x-ray of my leg as well. (Ms. O no longer works here)

Since Mr. Rose is unable to help me with medial I need someone to intervene and stop these people from taking the only thing away from me that helps me get around. I am over weight and I cant stand for long periods of time and I cant walk for long distinces without having to rest my leg. There is not enough seatting along the walk way for the hanicap to be able to sit and rest when they are out and about. I need help

I need someone to intervene who can do somethig or say something on my behalf that will stop these people from taking my mobility device away from me

7/8/2022 2:45:55 PM : (karen stanforth) wrote

Affirmed.

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version

The Office of the Chief Inspector has reviewed your grievance concerning your need for a rollator and based on your physical assessment findings it is not indicated at this time. I too have pins and plates in my feet as well as many of our inmates and although there can be some pain most patients are able to walk if they stay at a reasonable weight. Walking and watching your food intake will work if you seriously do this. The medical staff are following the ODRC guidelines set forth in 68-MED-01. I encourage you to take responsibility for not using a rollator unnecessarily as this is impacting your health status.

Karen Stanforth, Assistant Chief Inspector, Medical

7/8/2022 2:46:04 PM : (karen stanforth) wrote

Closed incarcerated individual form - Disposition: Affirmed with comments